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INTERGOVERNMENTAL NEGOTIATING COMMITTEE FOR AN  
INTERNATIONAL LEGALLY BINDING INSTRUMENT  
FOR IMPLEMENTING INTERNATIONAL ACTION ON  
CERTAIN PERSISTENT ORGANIC POLLUTANTS

Seventh session

Geneva, 14-18 July 2003

Item 2 (b) of the provisional agenda\*

**Organizational matters: Organization of work**

**SCENARIO NOTE FOR THE SEVENTH SESSION OF THE  
INTERGOVERNMENTAL NEGOTIATING COMMITTEE**

**Note by the secretariat**

A scenario note for the seventh session of the Committee provided by the Chair of the Committee, Mr. John Buccini (Canada), is reproduced in annex to the present note. The information is circulated for the information of the Intergovernmental Negotiating Committee in the form received and has not been formally edited.

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\* UNEP/POPS/INC.7/1

Annex**SCENARIO NOTE FOR POPs INC7**

This scenario note is intended to assist delegates in preparing for INC7 by communicating initial planning and my expectations for the session. It is being distributed with the first group of INC7 meeting documents and will be followed by a second group, the distribution of which is scheduled to take place by May 16, 2003. All meeting documents will be made available at the Stockholm Convention website ([www.pops.int](http://www.pops.int)), with the exception of some information documents that will be distributed at INC7. With the timely availability of these documents, delegates should have sufficient time to review them, conduct consultations and make other preparations favourable to ensuring a productive session at INC7.

**Objectives for INC7:**

Following the adoption of the Convention in 2001, the work of the INC shifted from negotiation to implementation. The Resolutions that were adopted at the May 2001 Stockholm Conference urged countries to implement the Convention in advance of its entry into force and provided the mandate for the INC to continue to meet until the Convention enters into force (*i.e.*, 90 days after the 50<sup>th</sup> instrument of ratification is deposited). The first meeting of the Conference of the Parties (COP1) must then be held within one year after entry into force. As noted in Resolution 1, the INC was mandated to make preparations for COP1 and to oversee cooperative international action on POPs. Additional tasks were mentioned in Resolutions 2 to 6.

INC6 established the INC as the oversight mechanism to coordinate and foster continuing international action on POPs and to prepare for a “fast start” to the COP process by advancing preparations for COP1. Noting that 30 Parties ratified the Convention in the period May 2001 to March 2003, and assuming that governments continue to ratify at this rate, I think that it is reasonable to expect that the Convention will enter into force by April 2004. If this happens, COP1 would take place prior to April 2005 (*i.e.*, within one year of entry into force) and it is unlikely that there will be another full INC before COP1. Thus, we must ensure that INC7 addresses, on a priority basis, all the decisions that must be made at COP1 and our objective for the session is to complete these decisions. The issues requiring decisions are listed in the “Outcomes of INC7” section below.

**Organization of work:**

INC7 will involve five days of meetings from July 14-18, 2003 (*i.e.* Monday – Friday), with provision for regional meetings on July 13 (Sunday). I encourage all delegates to participate in the Sunday regional meetings. The secretariat will allow for these meetings in making travel arrangements for those delegates for whom they provide assistance.

From Monday to Friday, the proposed daily schedule for plenary meetings will be two three-hour sessions per day (10:00 - 13:00 and 15:00 – 18:00). There will be no meetings of the plenary in the evenings.

The INC will meet in plenary all week. The legal drafting group (LDG) will need to be established on Monday, given the large amount of work it needs to complete by mid-day on Thursday so that the plenary will have an opportunity to approve translated LDG products before the close of INC7. A budget group will be established, as agreed at INC6, and I expect that it will start its deliberations as early as Tuesday. This group will need sufficient time to discuss the secretariat budget proposed on Monday, report to plenary on its findings and recommendations, and provide any input into an amended budget to be noted by the INC. A few contact or drafting groups may be set up as needed to address specific issues. To ensure that all INC participants are kept abreast of the activities of the LDG, budget group and any contact or drafting groups established, each morning plenary from Tuesday to Friday will begin with reports from the various groups.

The report of the meeting continues to be an important product of our work. With so many POPs-related activities going on, the report will serve as a useful compilation and reference document to remind participants (and inform those who were not at the meeting) of all the developments and agreements arrived

at during INC7. The report of the meeting as of the end of plenary on Thursday afternoon will be approved with any amendments in plenary on Friday. The results of the Friday plenary meetings will be prepared by the rapporteur, in cooperation with the secretariat.

#### **Agenda of the session:**

The annotated agenda for INC7 (UNEP/POPS/INC.7/1/Add.1) will identify the issues for discussion and references the corresponding meeting and information documents for each. Most of the documents include references from the Convention, Conference of Plenipotentiary Resolutions and/or INC6 decisions that provide mandates for activities described within them and identify the possible action to be taken. Delegations are invited to identify any issues that they feel should have been included in the annotated agenda to the Secretariat prior to the meeting or, at the latest, during the consideration of the agenda at the start of INC7.

Monday morning will involve the usual opening formalities and organizational matters. Under the latter item, the INC may need to elect any replacement bureau members for individuals that are unable to continue. The secretariat will then brief plenary on international activities related to the work of the INC, and governments, intergovernmental organizations and non-governmental organizations that wish to do so may provide short interventions on their work related to the Convention. This will be followed by a secretariat report on its program of work, budget and current funding situation.

On Monday, the plenary will begin addressing the many matters relating to preparation for the COP (agenda item 5) and will continue on these issues for most of the week. I plan to address the following issues, or groups of issues, in the following order:

- rules of procedure and financial rules for the COP;
- settlement of disputes (rules of arbitration and conciliation), and non-compliance;
- location of the secretariat;
- terms of reference for the POPs Review Committee;
- implementation plans, technical assistance, financial resources and mechanisms, and interim financial mechanism;
- DDT, and the register of specific exemptions;
- information exchange, reporting, and effectiveness evaluation;
- measures to eliminate releases from stockpiles and wastes;
- guidelines on best available techniques and best environmental practices, and evaluation of current and projected releases of chemicals listed in annex C; and
- liability and redress, and other issues related to the Convention.

The rationale for this ordering is to have initial discussions early on in the week of those matters that may require work in the LDG, a contact or drafting group, or for which more time may be needed to build consensus. An exception to this is the item on the location of the secretariat, the timing of which is dependant upon the availability of certain presenters.

Toward the end of the week, the secretariat, in consultation with the budget group, will provide a budget for consideration of the INC that has been revised, as necessary, to reflect any changes in the secretariat program of work due to decisions taken by the INC during the course of the session.

**Outcomes of INC7:**

INC7 will make many decisions pertaining to preparations for the COP and interim operation of the Convention prior to entry into force. The possible basis for such decisions is included in the meeting documents for the session under the subheading "Possible action by the Committee".

Since it is unlikely that there will be another full INC, priority must be given to completing recommendations for COP1 decisions on the following issues, as this is explicitly required by the Convention:

- review process for entries in the register of specific exemptions (Article 4, paragraph 5);
- guidance to be provided to the financial mechanism and agreement with entities participating in it (Article 13, paragraph 7);
- format and periodicity of Party reporting (Article 15, paragraph 3);
- arrangements for the COP to provide itself with comparable monitoring data on chemicals listed in the Convention (Article 16, paragraph 2);
- rules of procedure for the COP and its subsidiary bodies (Article 19, paragraph 4);
- financial rules for the COP, its subsidiary bodies, and the Convention secretariat (Article 19, paragraph 4);
- terms of reference for the Persistent Organic Pollutants Review Committee (Article 19, paragraph 6); and
- information to evaluate the continued need for DDT for disease vector control (Annex B, Part II, paragraph 6).

I expect the INC will make progress on other issues that may be addressed by COP1, but for which the Convention does not specify that they must be decided at COP1.

John Buccini  
Chair, POPs Intergovernmental Negotiating Committee  
March 31, 2003

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